

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

WALTER A. MARTINEZ,
Plaintiff,

vs.

STATE OF UTAH, et al.,
Defendants.

ORDER ADOPTING
REPORT AND
RECOMMENDATION

Case No. 2:13-CV-704
Judge Dee Benson

Before the Court is the Report and Recommendation issued by United States Magistrate Judge Dustin B. Pead on January 10, 2014, recommending that the district court dismiss Plaintiff's complaint with prejudice for failure to state a claim on which relief may be granted.

The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after receiving it. Neither party has filed such an objection.

Having reviewed all relevant materials, including the reasoning set forth in the Magistrate Judge's Report and Recommendation, the Court ADOPTS the Report and

Recommendation. Accordingly, Plaintiff's Complaint is hereby DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim on which relief may be granted.

IT IS SO ORDERED.

DATED this 31st day of January, 2014.

A handwritten signature in black ink that reads "Dee Benson". The signature is written in a cursive, flowing style. The first name "Dee" is written with a large, stylized 'D' that loops around the first letter of the last name. The last name "Benson" is written in a more standard cursive script.

Dee Benson
United States District Judge